

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): — Allan Herzlich/Jerome J. Blum SBN 100920/100317 Herzlich & Blum, LLP 15760 Ventura Blvd., Suite 2024 Encino, CA 91436 TELEPHONE NO.: (818) 783-8991 FAX NO.: (818) 783-6682 ATTORNEY FOR (Name): Midland Innovations, NV	FOR COURT USE ONLY <div style="font-size: 2em; font-weight: bold; margin: 10px 0;">RECEIVED</div> <div style="font-size: 1.2em; font-weight: bold; margin: 5px 0;">MAR 24 2014</div> <div style="font-size: 0.8em; margin: 5px 0;"> RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND </div>
NAME OF COURT: United States District Court STREET ADDRESS: 1301 Clay Street MAILING ADDRESS: 1301 Clay Street CITY AND ZIP CODE: Oakland, CA 94612 BRANCH NAME: Northern District of California, Oakland	CASE NUMBER: 4:07-mc-80257-CW
PLAINTIFF: Midland Innovations, NV DEFENDANT: Weiland International Inc., et al.	
APPLICATION AND ORDER FOR APPEARANCE AND EXAMINATION <input checked="" type="checkbox"/> ENFORCEMENT OF JUDGMENT <input type="checkbox"/> ATTACHMENT (Third Person) <input type="checkbox"/> Judgment Debtor <input checked="" type="checkbox"/> Third Person	

ORDER TO APPEAR FOR EXAMINATION

1. TO (name): Weiping Chen
2. YOU ARE ORDERED TO APPEAR personally before this court, or before a referee appointed by the court, to
 - a. ☐ furnish information to aid in enforcement of a money judgment against you.
 - b. ☒ answer concerning property of the judgment debtor in your possession or control or concerning a debt you owe the judgment debtor.
 - c. ☐ answer concerning property of the defendant in your possession or control or concerning a debt you owe the defendant that is subject to attachment.

Date: 6/23/14	Time: 9:30 a.m.	Dept. or Div.: Ctrm 14/18th Fl. Rm.:
Address of court	<input checked="" type="checkbox"/> shown above	<input checked="" type="checkbox"/> is: 450 Golden Gate Avenue, San Francisco, CA 94102

3. This order may be served by a sheriff, marshal, registered process server, or the following specially appointed person (name):

Date: April 9, 2014

JUDGE OR REFEREE

This order must be served not less than 10 days before the date set for the examination.

IMPORTANT NOTICES ON REVERSE**APPLICATION FOR ORDER TO APPEAR FOR EXAMINATION**

4. ☒ Judgment creditor ☐ Assignee of record ☐ Plaintiff who has a right to attach order
 applies for an order requiring (name): Weiping Chen to appear and furnish information to aid in enforcement of the money judgment or to answer concerning property or debt.
5. The person to be examined is
 - a. ☐ the judgment debtor.
 - b. ☒ a third person (1) who has possession or control of property belonging to the judgment debtor or the defendant or (2) who owes the judgment debtor or the defendant more than \$250. An affidavit supporting this application under Code of Civil Procedure section 491.110 or 708.120 is attached.
6. The person to be examined resides or has a place of business in this county or within 150 miles of the place of examination.
7. ☐ This court is **not** the court in which the money judgment is entered or (attachment only) the court that issued the writ of attachment. An affidavit supporting an application under Code of Civil Procedure section 491.150 or 708.160 is attached.
8. ☐ The judgment debtor has been examined within the past 120 days. An affidavit showing good cause for another examination is attached.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: February 28, 2014

Jerome J. Blum

(TYPE OR PRINT NAME)

(Continued on reverse)

(SIGNATURE OF DECLARANT)

APPEARANCE OF JUDGMENT DEBTOR (ENFORCEMENT OF JUDGMENT)

NOTICE TO JUDGMENT DEBTOR If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

**APPEARANCE OF A THIRD PERSON
(ENFORCEMENT OF JUDGMENT)**

(1) NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the judgment creditor in this proceeding.

(2) NOTICE TO JUDGMENT DEBTOR The person in whose favor the judgment was entered in this action claims that the person to be examined pursuant to this order has possession or control of property which is yours or owes you a debt. This property or debt is as follows *(Describe the property or debt using typewritten capital letters)*:

PLEASE SEE EXHIBIT "A" ATTACHED HERETO

If you claim that all or any portion of this property or debt is exempt from enforcement of the money judgment, you must file your exemption claim in writing with the court and have a copy personally served on judgment creditor not later than three days before the date set for the examination. You must appear at the time and place set for the examination to establish your claim of exemption or your exemption may be waived.

APPEARANCE OF A THIRD PERSON (ATTACHMENT)

NOTICE TO PERSON SERVED If you fail to appear at the time and place specified in this order, you may be subject to arrest and punishment for contempt of court, and the court may make an order requiring you to pay the reasonable attorney fees incurred by the plaintiff in this proceeding.

**APPEARANCE OF A CORPORATION, PARTNERSHIP,
ASSOCIATION, TRUST, OR OTHER ORGANIZATION**

It is your duty to designate one or more of the following to appear and be examined: officers, directors, managing agents, or other persons who are familiar with your property and debts.

**Exhibit "A" to Order For Appearance And Examination
(C.C.P. § 708.120)**

ALL PROPERTY INTERESTS ACQUIRED DURING THE MARRIAGE OF WEN WANG AND SPOUSE WEIPING CHEN, WHEREVER LOCATED, WHETHER OR NOT RELATED TO THE CONDUCT OF A TRADE OR BUSINESS, INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

CROPS, TIMBER, MINERALS OR THE LIKE;

TANGIBLE PERSONAL PROPERTY IN POSSESSION OF JUDGMENT DEBTOR;

TANGIBLE PERSONAL PROPERTY IN POSSESSION OF THIRD PERSON;
PERSONAL PROPERTY IN CUSTODY OF LEVYING OFFICER;

BAILED GOODS NOT COVERED BY NEGOTIABLE DOCUMENT OF TITLE;

TANGIBLE PERSONAL PROPERTY OF GOING BUSINESS;

PERSONAL PROPERTY USED AS DWELLING;

VEHICLE, VESSEL, MANUFACTURED HOME, MOBILE HOME, OR COMMERCIAL COACH FOR WHICH CERTIFICATE OF OWNERSHIP IS ISSUED;

ACCOUNTS RECEIVABLE AND GENERAL INTANGIBLES (INCLUDING, BUT NOT LIMITED TO INTELLECTUAL PROPERTY, E.G., PATENTS, COPYRIGHTS, TRADE NAMES AND TRADEMARKS), AND CHATTEL PAPER;

FINAL MONEY JUDGMENTS;

DEPOSIT ACCOUNTS;

SAFE DEPOSIT BOXES;

DEPOSIT ACCOUNTS AND SAFE DEPOSIT BOXES NOT EXCLUSIVELY IN NAME OF JUDGMENT DEBTOR;

NEGOTIABLE DOCUMENTS OF TITLE; INSTRUMENTS; SECURITIES;

PROPERTY SUBJECT TO PENDING ACTIONS;

INTERESTS IN PERSONAL PROPERTY IN ESTATES OF DECEDENTS;

ALL OTHER PROPERTY NOT LISTED ABOVE.

ALL IDENTIFIABLE CASH PROCEEDS AND AFTER-ACQUIRED PROPERTY WITH RESPECT TO ALL ITEMS LISTED ABOVE.

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Attorneys for Judgment Creditor

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MIDLAND INNOVATIONS, NV,

Plaintiff,

vs.

WEILAND INTERNATIONAL, INC.; and
WEN WANG,

Defendants.

CASE NO. 4:07-mc-80257-CW

AFFIDAVIT OF JEROME J. BLUM
IN SUPPORT OF APPLICATION AND
ORDER FOR APPEARANCE AND
EXAMINATION OF THIRD PERSON
WEIPING CHEN
(C.C.P. § 708.120)

I, Jerome J. Blum, do hereby declare:

1. Each of the following facts is based upon my personal, firsthand knowledge and, if called upon, I could and would competently testify thereto.

2. I am an attorney at law duly licensed to practice and practicing before each of the courts of the State of California.

3. Through investigation, I have discovered that Weiping Chen is the spouse of Judgment Debtor WEN WANG.

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2 4. Therefore, it is respectfully submitted that Weiping Chen has joint custody and control
3 of the community property (of the Judgment Debtor and herself) which is subject to enforcement
4 of the instant Judgment, which community property shall include all property listed in Exhibit
5 "A" attached to the Application and Order for Appearance and Examination.
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7 Executed this 28th day of February, 2014, at Encino, California.
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9 I declare under penalty of perjury that the foregoing is true and correct.
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Jerome J. Blum
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